



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### Tuesday, May 17, 2011

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC 29691

1. **Call to Order**
2. **Extended Public Comment Session** *(Limited: 2 citizens per mg. for 5 minutes, prior scheduling required)*
  - None Scheduled for this meeting
3. **Public Comment Session/Agenda Items**  
*Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.*
4. **Public Comment Session/Non Agenda Items – time permitting**  
*Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.*
5. **Council Member Comments** *[Directly following Public Comment Sessions if applicable & time permits]*
6. **Meeting Recess** *[Meeting will Recess no later than 6:50 p.m.]*

---

7. **Meeting Reconvenes** *[Meeting will Reconvene at 7:00 p.m.]*
8. **Moment of Silence**
9. **Pledge of Allegiance to the Flag of the United States of America**
10. **Approval of Minutes**  
May 3, 2011: Regular Meeting
11. **Presentation by Outside Organization** *[10 minute maximum.]*  
Leadership Oconee / 2011 Class: Introduction to Create Oconee
12. **Public Hearing regarding the Following Ordinances:**
  - Ordinance 2011-05** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”  
*[HURRICANE MOUNTAIN REQUEST]*
  - Ordinance 2011-12** “AN ORDINANCE TO REPEAL DIVISION 2 OF ARTICLE III OF CHAPTER 30 OF THE OCONEE COUNTY CODE OF ORDINANCES; TO AMEND ARTICLE IV OF CHAPTER 2 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AMENDING THE MEMBERSHIP REQUIREMENTS, DUTIES AND RESPONSIBILITIES OF THE OCONEE COUNTY PARKS, RECREATION AND TOURISM COMMISSION; AND OTHER MATTERS RELATED THERETO”
  - Ordinance 2011-13** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY DEED; AUTHORIZING THE TRANSFER OF AN EASEMENT FOR INGRESS AND EGRESS ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED TO THE TRANSFER OF THE EASEMENT; AND OTHER MATTERS RELATED THERETO”

### 13. Consideration of the Following Ordinances:

**Third & Final Reading of Ordinance 2011-05** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO” *[HURRICANE MOUNTAIN REQUEST]*

The proposed Ordinance 2011-05 stems from a citizen-initiated rezoning request. On February 15, 2011 Council took first reading in title only and referred the request to the Planning Commission for their review. The Planning Commission took up the request at a regularly scheduled meeting on March 7, 2011. Planning staff presented the request and made a recommendation to the Commission regarding the proposed rezoning and compliance with the Comprehensive Plan. After taking into consideration the staff's recommendation and public input, the Commission forwarded their recommendation to Council.

On April 5, 2011 Council considered the Planning Commission recommendation and took 2<sup>nd</sup> reading on the rezoning ordinance. A public hearing was set for May 17, 2011.

**It is the staff's recommendation that Council take Third & Final Reading of Ordinance 2011-12.**

**Third & Final Reading of Ordinance 2011-12** “AN ORDINANCE TO REPEAL DIVISION 2 OF ARTICLE III OF CHAPTER 30 OF THE OCONEE COUNTY CODE OF ORDINANCES; TO AMEND ARTICLE IV OF CHAPTER 2 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AMENDING THE MEMBERSHIP REQUIREMENTS, DUTIES AND RESPONSIBILITIES OF THE **OCONEE COUNTY PARKS, RECREATION AND TOURISM COMMISSION**; AND OTHER MATTERS RELATED THERETO”

The PRT Director and previous PRT Commission are in the process of reviewing a list of interested persons [questionnaires in the Council office were provided for inclusion in the review] and will make recommendation to Council for appointment to the new PRT Commission at the June 7, 2011 meeting.

**It is the staff's recommendation that Council take Third & Final Reading of Ordinance 2011-12.**

**Third & Final Reading of Ordinance 2011-13** “AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY DEED; AUTHORIZING THE TRANSFER OF AN EASEMENT FOR INGRESS AND EGRESS ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED TO THE TRANSFER OF THE EASEMENT; AND OTHER MATTERS RELATED THERETO”

This is a property transfer [6.21 acres] at the county's Echo Hills location to New Horizon Electric Cooperative for an Electrical Substation Construction. Blue Ridge is requesting the transfer of the property as soon as possible to ensure all the appropriate arrangements can be completed to allow for the construction of the substation as quickly as possible. The value of the property to be transferred is approximately \$38,150.00.

**It is staff's recommendation that Council take Third & Final reading of Ordinance 2011-13.**

[A Special County Council Meeting is scheduled for Tuesday, May 31, 2011 at 6:00 p.m. in Council Chambers, Oconee Administrative Offices, 415 S. Pine Street, Walhalla, SC in order to hold the Public Hearings regarding the FY 11-12 Budget Ordinances #2011-01, #2011-02 and #2011-03 \[see below\]](#)

**Second Reading of Ordinance 2011-01** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR **OCONEE COUNTY** AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.”

**Second Reading of Ordinance 2011-02** “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE **SCHOOL DISTRICT OF OCONEE COUNTY** (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012”

**Second Reading of Ordinance 2011-03** “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE **KEOWEE FIRE SPECIAL TAX DISTRICT** AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.”

**14. Consideration of the Following Resolutions:**

**First & Final Reading of Resolution R2011-08** “A RESOLUTION BY OCONEE COUNTY AUTHORIZING THE PROCUREMENT DEPARTMENT TO MAKE PERMANENT THE PILOT PROGRAM FOR OFF ROAD FUEL PURCHASES”

During fiscal year 2007-2008, Procurement issued quarterly quotes for off-road fuel, but as the price increased, it became necessary to have Council’s approval for these purchases. In September of 2008, Council approved Procurement to issue quotes on a monthly basis to buy fuel from whichever vendor gave the best price. The approval was granted based on a six month trial period and approved by Council in February of 2009 to extend through December 2009. In December of 2009 this procedure was once again approved for a one year time period. Based on this successful pilot program it is the request of Procurement that Council formally adopt this as permanent policy with passage of R2011-08.

**It is the staff’s recommendation that Council take First & Final Reading of Resolution R2011-08.**

**15. Discussion & Possible Action Items**

*[5 min. per Action Item]*

**Intergovernmental Agreement with Town of Salem / Magistrate Services**

This Intergovernmental Agreement between the Town of Salem and Oconee County would establish a county magistrate judge to act as a municipal judge to hear and determine cases under the town’s jurisdiction. The Town of Salem agrees to compensate the County for these services with the term of this agreement renewing automatically on a monthly basis until terminated by one of the parties with thirty days written notice.

**It is the staffs recommendation that Council authorize the County Administrator to execute this Intergovernmental Agreement as provided.**

**Consent Agenda Items / \$7,375 / STATE ATAX Requests**

- \$3,500 / West Oak Young Farmers Agribusiness Association Advertising the Carolina Foothills Heritage Foothills Fair via internet, network television, magazine, and special interest papers/publications.
- \$500 / Oconee Heritage Trails / printing of 5,000 brochures of Native American Trails in Oconee County.
- \$3,375 / Downtown Seneca Merchant’s Association / 9 months of radio advertising.

**CO #2 for PO #48053 / \$20,869 / Manned Convenience Center [MCC] #1 Construction**

On February 1, 2011, Council approved the award of ITB 10-17 for the Construction of the MCC #1 to Thrift Brothers, Inc., in the amount of \$563,149.45 (\$559,235.00 bid amount and \$3914.45 contingency).

Change Order # 1 consisted of a decrease in the amount of the PO to have the County purchase the required gravel from the Solid Waste Department’s rock account (minus \$22,189.43) and an increase of \$18,463 for the removal of unsuitable soil, installation of a fire hydrant, additional 456 square yards of heavy duty concrete and adding privacy slats to fencing to provide screening for neighboring property. The net amount of Change Order #1 was a decrease of \$3,726.43 and did not require Council approval, bringing the contingency balance to \$7640.88.

Change Order #2 is now required for the removal and relocation of unsuitable soil in the amount of \$20,424. Unsuitable soil in the amount of 1,350 cubic yards was removed from the area of the retaining wall (at a cost of \$2.00 per yard) and 4,431 cubic yards of soil was relocated from the onsite borrow pit (at a cost of \$4.00 per yard). An additional \$445.28 for fuel indexing allowed in the bid for the increasing cost of asphalt is also included in Change Order #2.

**It is the staffs recommendation that Council [1] approve Change Order # 2 in the amount of \$20,869.28 to Purchase Order 48053 to Thrift Brothers, Inc, of Seneca, SC, for the construction of the Manned Convenience Center #1 on Strawberry Farm Road, [2] authorize County Administrator to sign the Change Order, and [3] give the County Administrator authorization to approve and sign any other change orders that may arise for unsuitable soil, liquid asphalt indexing, and any other unforeseen items that may arise, up to the remaining balance in the Strawberry Farm MCC #1 Construction Account (\$38,595.55).**

**Memorandum of Agreement [MOA] / Airport Fencing Project / Acceptance of grant funds [\$341,626] from the FAA & SC Department of Commerce**

The county's airport's northern and eastern property boundary has a 9,400 foot length with no perimeter fencing exposing the airport to two wildlife management protected areas. This condition presents zero deterrent for wildlife to enter/traverse the airfield and is a significant hazard to aircraft taking off and/or landing in darkness. In FY 2010 Oconee County transferred its annual NPIAS entitlement funds [\$150,000] to the SC Division of Aeronautics for an airport perimeter fencing project. This MOA establishes the terms and conditions of a grant project to install approximately 9,400 linear feet of 8-foot high fencing to secure and further deter wildlife from entering the airfield proper.

FAA SHARE:	\$332,867.00	(95 %)
COUNTY SHARE:	\$ 8,759.00	(2.5 %)
SCDOC:	\$ 8,759.00	(2.5 %)

It is the staff's recommendation that Council authorize the County Administrator to [1] execute the MOA, [2] accept grant funds from the FAA in the amount of \$332,867, and [3] accept grant funds from SCDOC in the amount of \$8,759.

- 16. **Board & Commission Appointments** None Scheduled for this meeting.
- 17. **Commission / Board Reports to Council** *[ten minute maximum]*
  - Economic Development Commission
- 18. **Council Committee Reports** None Scheduled for this meeting.
- 19. **Administrator Report**
- 20. **Old Business**
- 21. **New Business**
- 22. **Executive Session** *[for the purpose of discussing potential contractual matters]*
  - Vote / Action on matters discussed in Executive Session [if required]
- 23. **Adjourn**

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers. ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website [www.oconeesc.com/council.html](http://www.oconeesc.com/council.html)  
[All upcoming meetings will be held in Council Chambers unless otherwise noted]